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Weekend Edition

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Smart indicted in husband's murder

Mother confirms teen is state's key witness

By FRANK RICHARDSON
Derry News Staff

SEABROOK — When Pamela Wojas Smart asked Cecelia Pierce's mother last spring if her 16-year-old daughter could spend the week with her at her Derry townhouse, the mother balked at the idea.

Cecelia's mother, Cecelia Eaton, said she didn't trust the 22-year-old media director at the Hampton school district, thinking the woman was becoming too close to her students, including Cecelia. But Cecelia persisted and Smart assured Mrs. Eaton her daughter would be in good hands.

"She said she'd keep her out of trouble," Mrs. Eaton said Monday in an interview at her Seabrook home.

But today, Mrs. Eaton, 36, finds it ironic that Smart could make such a promise, since her daughter now finds herself the state's key witness against her former teacher, who is charged with conspiring to murder her husband.

Smart is accused of planning with three other students, including her alleged lover, the May 1 murder of her husband, Gregory. The



Cecelia Pierce, a key witness against Pamela Smart, is shown here in a photo taken from a brochure put out by Smart's media lab at Winnacunnet High School.

four suspects are currently in legal custody and the juveniles' names are being withheld because of state law protecting the identities of minors.

Cecelia, who worked for Smart in the Hampton school district's media department, was named in an indictment handed down Tuesday by a county grand jury as a witness who heard Smart plan the murder and later secretly taped Smart talking about the murder and urging her to WITNESS, Page 3



Pamela Smart has been indicted on charges of accomplice to murder, conspiracy to commit murder and witness tampering in connection with the May 1 murder of her husband, Gregory. If convicted, she could be sentenced to life in prison without parole.

Grand jury charges wife with planning the killing

By FRANK RICHARDSON
Derry News Staff

A Rockingham County Grand Jury Tuesday afternoon charged Pamela Wojas Smart with planning her husband's execution.

Smart was arrested Aug. 1 and charged with conspiring with three high school students she worked with at the Hampton school district to kill her husband, Gregory, who was found dead of a gunshot wound May 1 in the couple's Derry condominium.

She was indicted Tuesday on charges of being an accomplice to first-degree murder, conspiring to commit murder and witness tampering. If convicted, she faces the possibility of life in prison without parole.

No arraignment date has been set yet for the new charges. A trial will probably not occur for at least nine months, according to court officials.

Meanwhile, Smart, who turned 23 Thursday, is being held without bail in the high-security wing of the state women's prison in Goffstown.

She has maintained her innocence since her husband's murder.

'We've evaluated the evidence and at this point, the attorney general's office feels the appropriate charge is accomplice to first-degree murder.'

Diane Nicolosi
assistant attorney general

Although Smart was not indicted on the higher charge of capital murder, which carries the death penalty, one of the criteria for charging someone with capital murder is the charge of criminal solicitation of murder.

Assistant Attorney General Diane Nicolosi, one of the prosecutors in the case, said the indictments were consistent with the evidence collected against Smart to this point. If evidence surfaces that could lead to a capital murder charge, the state could seek additional indictments.

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The Smart murder

Smart indicted for planning husband's murder

INDICTMENT

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"We've evaluated the evidence and at this point the attorney general's office feels the appropriate charge is accomplice to first-degree murder," she said.

A person can be charged with capital murder if criminal solicitation to commit murder — murder for hire — can be proven, said Assistant Attorney General Mark Howard.

Police have not said whether Smart paid any of the three teens charged with executing the murder.

But Ralph Welch, a friend of the three, has said the they told him shortly after the murder that Smart promised them money for the job. He said he did not know if they collected any money.

When asked if money was a motive for his friends to commit the crime, Welch said, "... they were supposed to get anywhere from \$500 to \$1,000."

Welch gave testimony to the Derry Police the day after his friends told him of their crime.

Smart was arrested four months to the day of the

murder at her office at School Administrative Unit 21 in Hampton, where she worked for almost two years as media director.

According to a police-affidavit released after her Aug. 1 arrest, Smart conspired with three Seabrook teens, including her alleged 16-year-old lover "William F.," to kill her husband of almost one year. William F. and the two other juveniles are being held at a state youth facility in Concord while prosecutors attempt to have them certified as adults.

No information has been released as to when the decision on the status of the three will be made.

The three are not being identified because of a state law protecting the identities of juveniles.

Prosecutors revealed at Monday's bail hearing that Smart was secretly taped talking about the murder by 16-year-old Cecelia Pierce, who worked with Smart as a student intern in the media office.

According to prosecutors, Smart complained on tape about public statements about

the murder made by a friend of the three teens, saying "If Ray Fowler hadn't run his mouth off, this would have been a perfect murder because they made it look like it was a burglary."

According to prosecutors, Smart was also taped urging Pierce: "You'd be better off lying to police. We'd go to the f--- --- slammer for our entire lives."

The charges handed down by the grand jury a day after Smart was denied bail by Rockingham Superior Court Judge Douglas Gray, who made his decision after he heard the tape of Smart, which he called "incriminating."

In addition to the life sentence on the accomplice charge, Smart, if convicted, faces 7½ to 15 years in jail on the conspiracy charge and 3½ to 7 years on the witness tampering charge.

Smart is being represented by attorneys Paul Twomey and Mark Sisti of Chichester, who maintain the charges against their client are based on hearsay statements obtained from teenagers they claim were badgered by police.

Smart said in court Monday

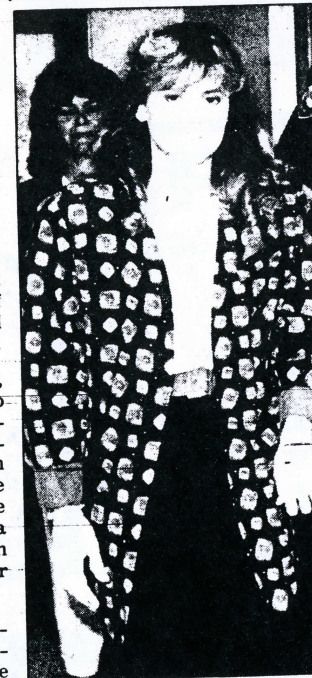
that she welcomed a trial because it would give her a chance to prove her innocence.

"I am 22 years old and I am a widow," she said to Judge Gray. "I have already suffered immeasurable pain and suffering."

Smart told the judge she did not commit the heinous crime of her husband's death and wanted nothing more to clear her name.

Originally from Tallahassee, Fla., the Wojas family moved to Windham when Smart was 14-years-old. She was a cheerleader and an active member in many school organizations. She later returned to her home state where she graduated Florida State University with honors in just three years, a year quicker than usual.

Pamela Wojas married Gregory Smart, originally of Londonderry, on May 7, 1989. There wedding was attended by 190 people and friends from both sides of the couple who now say they cannot believe Pamela Wojas Smart is capable of killing her husband of almost one year.



Derry News/Cristin Gisler

Pamela Smart could face the death penalty if police can prove she paid three Seabrook teens to kill her husband.

Chronology of events

May 1 — Gregory Smart, 24, is found by his wife, Pamela, in their Derry townhouse, dead of a single gunshot wound to the head.

June 11 — Three 16-year-old Seabrook youths, who knew Pamela Smart from her work at Winnacunnet High School, are arrested and charged with committing the murder.

July 10 — Smart tells the Derry News she had nothing to do with her husband's murder and dismisses as rumors talk of her extramarital involvement with one of the juveniles.

Aug. 1 — Smart is arrested and charged with planning her husband's murder along with the three teens, one of whom police say is her lover.

Aug. 13 — Smart's plea for bail is denied. Grand jury begins hearing evidence in the case.

Aug. 14 — Smart is indicted by a Rockingham County Grand Jury and charged with being an accomplice to first-degree murder, conspiring to commit murder and tampering with a witness.

— Franci Richardson

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Mother confirms teen is key witness

WITNESS

Continued from Page 1
lie to police about her knowledge.

"You'd be better off just lying to police," the tape said, according to state prosecutors. "We'd go the f-----slammer for our entire lives."

Mrs. Eaton confirmed her daughter's role in the investigation, including the following:

- Cecelia heard Smart and William F. planning Gregory Smart's murder to make it look like a burglary, but didn't go to police right away because she didn't think they were serious.

- Cecelia went to police after the murder and gave a statement detailing her knowledge.

- Cecelia agreed to wear a tape recorder and taped a conversation with Smart July 13 in the vicinity of Winnacunnet High School. Smart was taped saying "this would have been a perfect murder because they made it look like a burglary," according to prosecutors.

- Cecelia saw Smart and William F. having sex in Smart's home while she was staying there.

Mrs. Eaton also said there is more evidence against Smart that hasn't yet been revealed. She declined to reveal any other details.

According to her mother, Cecelia came to know Smart through "Project Self-Esteem," a mandatory orientation program for freshmen and sophomores attending Winnacunnet High School. She was also Smart's student helper in the media department and they came to be good friends after they spent time after school working on a video with Smart's alleged lover, William F., and Cecelia's best friend, Rachel Emond.

Mrs. Eaton said she objected to her daughter spending so much time on the video when her school grades began to suffer and she started to attend school less frequently. This was a change from Cecelia's usual honor-roll performance, she said.

"She maintained her grades in ninth grade, although they weren't honor-roll grades," said Mrs. Eaton. "Then she started in on the media thing, and they started to decline."

"Sometimes they (Cecelia and Smart) would meet to work on the video, but go shopping at the mall or go for a ride on Salisbury Beach," said Mrs. Eaton.

Cecelia's mother said she became worried her daughter wouldn't be able to get into a good college and study journalism, as she had planned. She said she complained to Winnacunnet Vice Principal Joseph Bruno about how much time Smart spent with her daughter.

"I would say to Crit (Cecelia's nickname is 'Crittler'), when does she spend time with her

'She just happened to be the person she (Pam) confided in.'

Cecelia Eaton

husband?," said Mrs. Eaton.

She said Cecelia would reply, "He's not usually there. She just goes home and sits by herself anyway. He has to keep insurance appointments at night."

Cecelia also worked with William F. on the video project. Mrs. Eaton said Cecelia had known for a while that Smart and William F. were having an affair, so when she walked in on the two having sex in the Smarts' Derry townhouse the weekend she stayed with her teacher, it was no surprise.

But Mrs. Eaton said her daughter never believed the conversations she overheard between Smart and her alleged lover about killing her 24-year-old husband would ever become a reality.

Mrs. Eaton said when her daughter heard Smart in her office talking to William F. about murdering Gregory, she said, "Well, you guys are joking; you're really not serious, right?" And Smart assured Cecelia the two were just kidding.

But Cecelia learned the day of Gregory Smart's murder that Smart was not kidding, and by then it was too late, said Mrs. Eaton. Smart, she said, told Cecelia her husband would be killed that night in their townhouse when he returned from his insurance appointment, confirmed her mother.

"She had no idea they were actually going to do this," said Mrs. Eaton. "And when she found out it was true, it was too late."

Smart was at a school board meeting that night and arrived home at 10:15 p.m. to find her husband dead on the foyer of their Derry townhouse from a single gunshot wound to the head. Police have identified William F. as the accused triggerman.

The following day, police found a glove, a kitchen knife believed to be from the Smarts' home, and stereo speakers stacked near the back door.

Cecelia would later tell police she heard Smart instruct William F. to wear gloves to protect against finger prints and stack stereo speakers against the door to make the murder look like the result of a botched burglary.

"She just happened to be the person she (Smart) confided in," said Mrs. Eaton.

Cecelia's mother said her daughter's behavior wasn't the same after the murder because Cecelia knew her teacher was to blame, but didn't know what to do.

"I knew something was bugging her," said Mrs. Eaton. "She was a nervous wreck — no"

sleeping, not eating. She just didn't know who to tell or what to do."

Derry Police questioned Cecelia twice shortly after the murder and she didn't let on that her teacher was behind the crime because she didn't want to get Smart in trouble.

But when her mother kept asking what was the matter the day after she brought her daughter to the Seabrook Police for a second round of questioning, Cecelia broke down and told her mother that Smart and William F. were lovers and Smart had asked him to kill her husband.

And contrary to Smart's attorneys, Paul Twomey and Mark Sisti of Chichester, who maintain police badgered witnesses until early morning hours, Mrs. Eaton said her daughter offered police testimony willingly. She said Cecelia wasn't badgered by police.

"Derry and the attorney general's office have done an excellent job with her," said Mrs. Eaton. "They don't try to put words into her mouth."

Cecelia and her family are currently working with the state Victim and Witness Assistance Program, based at the attorney general's office, said Mrs. Eaton.

Cecelia, she said, still feels she betrayed a friend by going to the police, but she believes she did the right thing. Cecelia has also asked her mother who she can trust if she couldn't trust a figure of authority.

"If you can't trust someone who is supposed to be a teacher, who can you trust," said Mrs. Eaton of her daughter's recent question to her.

Mrs. Eaton, who feels Smart also damaged the other kids involved with the crime, had to tell her daughter not everyone is like Smart.

"She played a lot of head games with my daughter and a lot of other kids," she said.

And Mrs. Eaton said she can't get over how Smart has stood up to a judge and said she's been through "immeasurable pain and suffering," when, in fact, she believes Smart is guilty. Mrs. Eaton also said it would "drive her crazy" if Smart is released from jail.

"Why should she be partying on life insurance money while he's (Gregory) gone," she said.

Mrs. Eaton believes Smart plotted the murder because she stood to lose some possessions if she sought a divorce.

"She's not what everyone thinks she is," said Mrs. Eaton, pointing to Smart's quiet voice and tiny figure. "I've seen her go from being in a very good mood one minute to being in a very ugly mood the next minute."

Mrs. Eaton believes Smart is guilty of plotting her husband's murder.

"I would stake my life on it that she's guilty," said Mrs. Eaton. "It's unbelievable, like they make it on the Twilight Zone, but (on the TV show) they tell you it's not true."

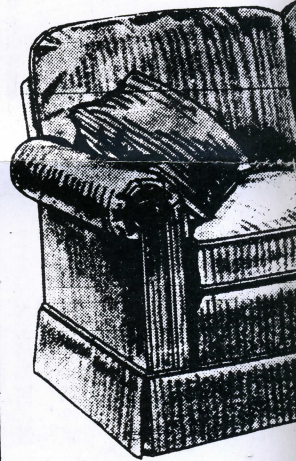
'She had no idea they were actually going to do this. And when she found out it was true, it was too late.'

Cecelia Eaton
Mother of witness Cecelia Pierce

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